

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DYRIAN K. STRONG, 09092418, §
§
Plaintiff, §
§
v. § Civil Action No. **3:10-CV-1957-L**
§
DALLAS COUNTY, §
§
Defendant. §

ORDER

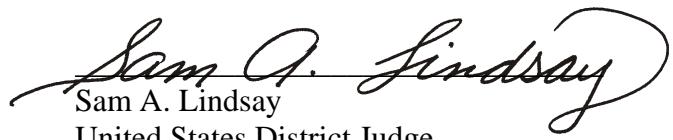
This is a *pro se* civil action alleging a violation of Plaintiff's civil rights, filed September 30, 2010. United States Magistrate Judge Paul D. Stickney was selected to handle matters in this case pursuant to the provisions of 28 U.S.C. § 636(b). On February 14, 2011, Magistrate Judge Stickney entered Findings, Conclusions and Recommendation of the United States Magistrate Judge ("Report"). No objections to the Report were filed.

The magistrate judge recommends that this action be dismissed without prejudice for want of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The record establishes that Plaintiff has neither paid the filing fee nor filed a motion to proceed *in forma pauperis*. Plaintiff was ordered by the magistrate judge on November 3, 2010, to cure this deficiency. Plaintiff was further warned that failure to comply with the court's order could result in dismissal of his complaint. To date, Plaintiff has not paid the filing fee or filed a motion to proceed *in forma pauperis*.

After conducting its own review of the complaint, record, Report, and applicable law, the court likewise determines that Plaintiff has failed to cure the deficiency identified by the magistrate

judge, despite having ample opportunity to do so. Dismissal of this action under Rule 41(b) of the Federal Rules of Civil Procedure for want of prosecution is therefore appropriate. The court accordingly **accepts** the findings and recommendation of the magistrate judge. This case is **dismissed without prejudice** pursuant to Rule 41(b) for want of prosecution. Pursuant to Rule 58, a judgment will issue by separate document.

It is so ordered this 1st day of March, 2011.



Sam A. Lindsay
United States District Judge